

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ERIC GIANNINI,

Plaintiff,

v.

COUNTY OF SACRAMENTO, ET AL.,

Defendant.

No. 2:21-cv-00581-KJN

ORDER TO SHOW CAUSE

On September 26, 2023, the court granted defendant's motion to dismiss and granted plaintiff leave to file a third amended complaint. (ECF No. 60.) Plaintiff was given 30 days to file a third amended complaint. (*Id.*) The applicable deadline has passed, and the court's records show that plaintiff has failed to amend the complaint.

In light of plaintiff's pro se status, and the court's desire to resolve the action on the merits, the issues this order to show cause.

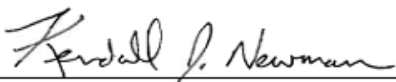
ORDER

Accordingly, IT IS ORDERED that:

1. Within 14 days of the date of this order, plaintiff shall show cause in writing why this action should not be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(b) based on plaintiff's failure to comply with the court's order and failure to prosecute this case;

2. Within 14 days of the date of this order, plaintiff shall file a third amended complaint, or a notice of voluntary dismissal;
3. Failure to timely comply with the terms of this order will result in an order dismissing this action with prejudice pursuant to Federal Rule of Civil Procedure 41(b); and
4. The Clerk of Court shall serve a copy of the court's September 26, 2023 order on plaintiff along with this order.

Dated: November 3, 2023


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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